

**STATE OF CALIFORNIA**  
**CALIFORNIA ENERGY COMMISSION**

**Business Meeting Minutes**

**of**

**January 21, 2004**

## Business Meeting Minutes of January 21, 2004

The meeting was called to order by Chairman Keese at 10:10 a.m.

The Pledge of Allegiance was led by Commissioner Boyd.

William J. Keese	Present
Arthur Rosenfeld	Present
James D. Boyd	Present
John L. Geesman	Present

1. CONSENT CALENDAR. (Items on the Consent Calendar will be taken up and voted on as a group. A Commissioner may request that an item be discussed and moved to later on the agenda).
  - a. ITRON, INC. Possible approval of Contract 300-00-002 Amendment 1, for a novation from Regional Economics Research, Inc. to Itron, Inc. and for a no-cost time extension of one year to the project term..
  - b. XENERGY, INC. Possible approval of Contract 400-00-050 Amendment 4, to disencumber \$750,823 from a \$13,090,752 contract with Xenergy, Inc. This is in response to direction from the Department of Finance to revert uncommitted Peak Load Reduction Program contract balances to the General Fund.
  - c. HDR ENGINEERING, INC. Possible approval of Contract 400-00-051 Amendment 3, to disencumber \$4,500,000 from a \$9,750,000 contract with HDR Engineering, Inc. This is in response to direction from the Department of Finance to revert uncommitted Peak Load Reduction Program contract balances to the General Fund.
  - d. FRESNO STATE UNIVERSITY FOUNDATION. Possible approval of Contract 400-00-056 Amendment 4, to disencumber \$2,275,220 from a \$11,760,834 contract with CSU Fresno. This is in response to direction from the Department of Finance to revert uncommitted Peak Load Reduction Program contract balances to the General Fund.
  - e. ICF ASSOCIATES, INC. Possible approval of Contract 400-00-060 Amendment 1, to disencumber \$1,257,871 from a \$7,500,000 contract with ICF Associates, Inc. This is in response to direction from the Department of Finance to revert uncommitted Peak Load Reduction Program contract balances to the General Fund.

- f. WEBGEN SYSTEMS, INC. Possible approval of Contract 400-00-064 Amendment 1, to disencumber \$1,000,000 from a \$2,500,000 contract with WebGen Systems, Inc. This is in response to direction from the Department of Finance to revert uncommitted Peak Load Reduction Program contract balances to the General Fund.
- g. HDR ENGINEERING, INC. Possible approval of Contract 400-00-065 Amendment 2, to disencumber \$25,000 from a \$285,000 contract with HDR Engineering, Inc. This is in response to direction from the Department of Finance to revert uncommitted Peak Load Reduction Program contract balances to the General Fund.
- h. SACRAMENTO MUNICIPAL UTILITY DISTRICT (SMUD). Possible approval of Contract 400-00-071 Amendment 2, to disencumber \$392,000 from a \$1,142,000 contract with SMUD. This is in response to direction from the Department of Finance to revert uncommitted Peak Load Reduction Program contract balances to the General Fund.
- i. ELEY AND ASSOCIATES. Possible approval of Contract 400-000-080 Amendment 2, to disencumber \$123,800 from a \$1,250,000 contract with Eley and Associates. This is in response to direction from the Department of Finance to revert uncommitted Peak Load Reduction Program contract balances to the General Fund; and to request a novation from Eley Associates to Architectural Energy Corporation (AEC).
- j. BROWN VENCE AND ASSOCIATES. Possible approval of Contract 400-01-003 Amendment 2, to disencumber \$3,000 from a \$427,000 contract with Brown Vence and Associates, Inc. This is in response to direction from the Department of Finance to revert uncommitted Peak Load Reduction Program contract balances to the General Fund.

*Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of the Consent Calendar. The vote was unanimous. (4-0)*

- 2. AMERICAN COUNCIL ON RENEWABLE ENERGY (ACORE). Possible approval of Contract 500-03-023 for a three year PIER membership agreement with the American Council on Renewable Energy (ACORE) for \$74,999.

*Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of Contract 500-03-023. The vote was unanimous. (4-0)*

3. REDDING PEAKING PLANT (92-SPPE-2C). Possible approval of a petition to modify conditions of an exemption to remove electricity production restrictions.

*Items 3, 4, and 5 were taken up as three separate items, but voted on as one.  
Commissioner Boyd moved and Commissioner Geesman seconded approval of the three items. The vote was unanimous. (4-0)*

4. TRACY PEAKER POWER PROJECT (01-AFC-16C). Possible approval of a petition to modify air quality conditions of certification to substitute a slightly larger, 300 kilowatt (kW) emergency diesel engine, for the 250 kW emergency diesel engine that was originally licensed.

*Items 3, 4, and 5 were taken up as three separate items, but voted on as one.  
Commissioner Boyd moved and Commissioner Geesman seconded approval of the three items. The vote was unanimous. (4-0)*

5. HENRIETTA PEAKER POWER PROJECT (01-AFC-18C). Possible approval of a petition to modify air quality conditions of certification to substitute a slightly larger, 300 kilowatt (kW) emergency diesel engine, for the 250 kW emergency diesel engine that was originally licensed.

*Items 3, 4, and 5 were taken up as three separate items, but voted on as one.  
Commissioner Boyd moved and Commissioner Geesman seconded approval of the three items. The vote was unanimous. (4-0)*

6. LOS ESTEROS CRITICAL ENERGY FACILITY (01-AFC-12C). Possible approval of a petition to approve modification of Temporary Transmission Line Interconnection. Calpine replaced the original 2000-foot temporary transmission interconnection tap line with a new 150-foot temporary interconnection tap line.

*Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of the above petition to modify at the Los Esteros Critical Energy Facility. The vote was unanimous. (4-0)*

7. MOSS LANDING POWER PLANT (99-AFC-4C). Possible approval of a petition to modify air emissions during startup and tuning. Contact:

*Commissioner Geesman moved and Commissioner Boyd seconded approval of the above petition to modify at the Moss Landing Power Plant. The vote was unanimous. (4-0)*

8. OTAY MESA GENERATING PROJECT (99-AFC-5C). Possible approval of a petition to modify conditions of certification to separate and increase stack height of HRSG/Turbine, add duct firing, auxiliary boiler, and wet surface air condenser.

*Commissioner Geesman moved and Commissioner Boyd seconded approval of the above petition to modify at the Otay Mesa Generating Project. The vote was unanimous. (4-0)*

9. CONFLICT OF INTEREST CODE. Possible approval of amendments to update the list of designated employees and the disclosure categories code of Regulations, section 2402.

*Commissioner Boyd moved and Commissioner Rosenfeld seconded approval of the amendments to the Conflict of Interest Code. The vote was unanimous. (4-0)*

10. RESIDENTIAL CLOTHES WASHER STANDARDS [Docket # 03-AAER-01(RCW)]. Possible adoption of revised standards for residential clothes washers to include a legislatively-mandated water factor standard.

*This item was moved to the February 4, 2004 Business Meeting.*

11. Minutes

*Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of minutes from the January 21, 2004 business meeting. The vote was unanimous. (4-0)*

12. Commission Committee and Oversight

*No reports were given.*

13. Chief Counsel's Report

*Chief Counsel Bill Chamberlain, reported that since the last Business Meeting the California Supreme Court had upheld the Commission's decision to license the Palomar Energy Project.*

14. Executive Director's Report

*Executive Director Bob Therkelsen, informed the Commissioner's that the performance evaluation had been submitted to Resources Agency. The Resource Agency will pull together the input from all the departments and then submit it to the Governor's Office. Also, Mr. Therkelsen indicated that he had been asked to do a brief presentation on the Commission's budget proposal for the 2004/2005 fiscal year to the members of the Legislative staff.*

*Mr. Therkelsen also requested a post business meeting discussion on the organizational issues in Hearing Room B.*

15. Public Adviser's Report

*No report was given.*

16. Public Comment

*No comments were received.*

The meeting was adjourned at 10:50 a.m.

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BETTY A. McCANN  
Secretary to the Commission